



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Deborah O'Neil

Application No.

10/663,101

Filed: 9/16/2003

For: Anti-Microbial Compositions

: Group Art Unit:

: 1751

: Examiner: Not yet assigned

: Attorney Docket No.:

: ONEIL-0002US

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.**

**§1.97(e)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(b)(1), Applicant brings to the Attention of the Examiner the documents listed on the attached Substitute Form PTO 1449 (in duplicate). As this Information Disclosure Statement is being filed before issuance of a first office action in this application, no fee is believed to be due in connection with this filing. However, if any fee is due, the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

**CERTIFICATE OF MAILING UNDER 37 CFR .18**

Date: December 31, 2003

I hereby certify that this paper, along with any document or paper referred to as being attached or enclosed, is being sent in a pre-paid envelope first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

EDNA SCHMITTINGER  
Name of person sending correspondence

Edna Schmittinger  
Signature of person sending correspondence

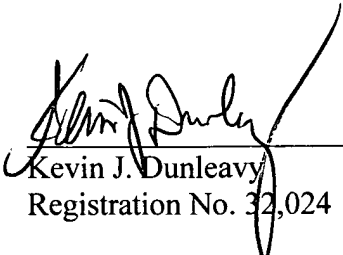
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determined that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

As part of this Information Disclosure Statement ("IDS"), the applicant encloses several documents listed in the paper entitled, "Additional References." The applicant requests that each item listed as an additional reference, be considered in the examination of the present application. Applicant notes that, under 37 C.F.R. § 1.98(a)(1), an IDS may include "patents, publications, applications, or **other information** submitted for consideration by the Office ..."  
[*Emphasis added.*] Since the additional references do not contain sufficient information to meet the requirements for consideration as a publication, the rule provides that they can nevertheless be considered as "other information." The only requirements appearing in 37 C.F.R. § 1.98 for consideration of "other information" by the Examiner is that the other information must be listed in the IDS and a legible copy must be submitted with the IDS. This Applicant has done. The Examiner's consideration of the additional references is therefore earnestly solicited.

It would be sufficient for applicant's purposes that the Examiner indicate in the context of an Office Action, that the "additional references" have been reviewed and considered.

Respectfully submitted,

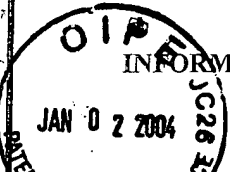
Date: December 31, 2003



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<div style="text-align: center;">  <p><b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)</p> </div>	Docket Number (Optional) <b>ONEIL-0002US</b>	Application Number <b>10/663,101</b>
	Applicant(s) <b>Deborah O'Neil</b>	
	Filing Date <b>9/16/03</b>	Group Art Unit

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,865,221	9/12/89	Jackson et al.	221/48		
	AB	4,746,510	5/24/88	Grollier et al	424/74	424/195.	
	AC	4,459,285	7/10/84	Grollier et al	424/74	424/361	
	AD	RE33,993	7/14/92	Grollier et al	424/74	424/63	
	AE	5,965,165	10/12/99	Zannini et al	424/489	424/458,	
	AF	5,872,103	2/16/99	Belletti	514/26	536/5	
	AG	5,006,338	4/9/91	Luenemann	424/195.1	424/714	
	AH	3,464,972	9/2/69	Rocher	260/210.5		
	AI	4,525,411	6/25/85	Schmidt	428/198	15/209	
	AJ	5,607,081	3/4/97	Levy	222/83.5	15/104.93	
	AK	4,853,281	8/1/89	WIn et al	428/286	221/135	

**FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
AL	WO/95/096025	4/13/95	International				
AM	WO/98/00487	1/8/98	International				
AN	EP - 552 151 B1	3/5/97	Europe				

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	The Concise Herbal Encyclopedia, "Herbs and Health" by Donald Law
	AP	"The Herbalist" by Joseph E. Meyer, 1934

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

# INFORMATION DISCLOSURE CITATION

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ATTY DOCKET NO.

ONEIL-0002US

SERIAL NO.

10/663,101

O'Neil

FILING

09/16/03

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BA	4,557,853	12/10/85	Collins	252/128	252/112	
BB	6,436,885	8/20/02	Beidermann et al	510/131	510/500	
BC	5,665,392	09/09/97	Kumar et al	424/487	425/725	
BC	20030064117	4/3/03	Hu, et al	424/725	424/750	
BE	20030036540	2/20/03	Bomshteyn et al	514/182	424/178.1	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BF	Field Guide To North American Edible Wild Plants, by Thomas E. Elias and Peter A. Dykeman, published by Outdoor Life Books 1982
BG	Funk & Wagnalls Standard Dictionary of Folklore Mythology and Legend by Maria Leach and Jerome Fried

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ONEIL-0002US

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09/16/03

Group Art Unit
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INITIAL

## OTHER DOCUMENTS

including Author, Title, Date, Pertinent Pages, Etc.)

CA

**Clinical and Epidemiologic Principles of Anthrax** by Theodore J. Cieslak and Edward M. Eitzen, Jr., U.S. Army Medical Research Institute of Infectious Diseases, Ft. Detrick, Maryland, USA, Vol. 5, No. 4, July-August 1988

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From Sugar Lactones to Stereodefined  $\gamma$ -Alkylidenebutenolides - Synthesis of Analogy of the  $\gamma$ -Alkylidenebutenolide Antibiotics Lissoclinolide and Tetrenolin by Felix Christian Gorth, Andras Umland and Reinhard Bruckner, Eur. J. Org. Chem 1988, pgs. 1055-1062

CC

**Plant Products As Antimicrobial Agents** by Marjorie Murphy Cowan, *Clinical Microbiology Reviews*, Oct. 1999, p. 564-582

CD

**From Xenobiotic to Antibiotic, Formation of Protoanemonin From 4-Chlorocatechol by Enzymes of the 3-Oxoadipate Pathway**  
by Rafael Blasco, Rolf-Michael Wittich, Medgharaj Malavarapus, Kenneth N. Timmis and Dietmar H. Pieper, *The Journal of Biological Chemistry*, Vol. 270, No. 49, Issue of December 8, pp. 29229-29235

**EXAMINER**

DATE CONSIDERED

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## ADDITIONAL REFERENCES

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